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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

DISABILITY RIGHTS CALIFORNIA, a  
California nonprofit corporation,

Plaintiff,

vs.

COUNTY OF ALAMEDA; ALAMEDA COUNTY  
BEHAVIORAL HEALTH CARE SERVICES; and  
ALAMEDA HEALTH SYSTEM,

Defendants.

Case No. 5:20-cv-05256-CRB

**STIPULATION AND ~~PROPOSED~~ ORDER  
REGARDING BRIEFING SCHEDULE FOR  
MOTION TO DISMISS**

Date: March 18, 2022

Time: 10:00 a.m.

Ctrm: 8, 17<sup>th</sup> Floor

Before: Hon. Charles R. Breyer

Trial Date: None Set

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1 This Stipulation is hereby entered into by and between Plaintiff Disability Rights California  
 2 (“Plaintiff”) and Defendants County of Alameda and Alameda County Behavioral Health Care  
 3 Services (“Defendants”) (collectively referred to as the “Parties”), by and through their respective  
 4 counsel of record, as follows:

5 **WHEREAS**, on April 1, 2021, Defendants filed a Motion to Dismiss. ECF No. 55.

6 **WHEREAS**, the Parties have filed previous stipulations postponing the hearing date and  
 7 modifying the briefing schedule on Defendants’ Motion to Dismiss to allow the Parties to participate in  
 8 mediation. ECF Nos. 58-61, 63-66.

9 **WHEREAS**, the current deadline for Plaintiff’s Opposition is January 28, 2022, the deadline  
 10 for Defendants’ Reply is February 28, 2022, and the hearing is set for March 18, 2022 at 10:00 a.m.  
 11 ECF No. 66.

12 **WHEREAS**, the Parties participated in mediation sessions on July 14, 2021 and September 23,  
 13 2021 with the United States and mediator Howard Herman. The parties and the United States have  
 14 continued to engage in direct settlement negotiations and expect further negotiations to occur through  
 15 March 2022.

16 **WHEREAS**, the Parties agree to postpone the hearing and modify the current briefing schedule  
 17 on Defendants’ Motion to Dismiss so that they may focus their efforts on settlement.

18 **NOW, THEREFORE, IT IS HEREBY STIPULATED** as follows:

- 19 1. Plaintiff’s Opposition shall be filed no later than April 29, 2022;
- 20 2. Defendants’ Reply shall be filed no later than May 27, 2022;
- 21 3. The hearing set for March 18, 2022 shall be vacated and reset for June 17, 2022 at  
 22 10:00 a.m., or as soon thereafter as the Court’s schedule will allow.

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1 The Parties respectfully request that the Court approve the foregoing deadlines in the Proposed  
2 Order below.

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4 Dated: January 19, 2022

Respectfully submitted,

5 DISABILITY RIGHTS CALIFORNIA

6 /s/ Jennifer Stark

7 Jennifer Stark  
8 Counsel for Plaintiff

9 GOLDSTEIN, BORGEN, DARDARIAN & HO

10 /s/ Andrew P. Lee

11 Andrew P. Lee  
12 Counsel for Plaintiff

13 HOOPER, LUNDY & BOOKMAN, P.C.

14 /s/ Jordan Kearney

15 Jordan Kearney  
16 Counsel for Defendants

17 **SIGNATURE ATTESTATION**

18 The e-filing attorney hereby attests that concurrence in the content of the document and  
19 authorization to file the document has been obtained from each of the other signatories indicated by a  
20 conformed signature (/s/) within this e-file document.

21 Dated: January 19, 2022

/s/ Andrew P. Lee

22 Andrew P. Lee

23 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

24 Dated: January 20, 2022

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26 Hon. Charles R. Breyer  
27 United States District Judge  
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